

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|-----------|
| SANTEE SIOUX NATION, |) | |
| |) | |
| Plaintiff, |) | 8:05CV147 |
| |) | |
| v. |) | |
| |) | |
| GALE A. NORTON and UNITED |) | ORDER |
| STATES DEPARTMENT OF |) | |
| INTERIOR, |) | |
| |) | |
| Defendants. |) | |
| |) | |

This matter is before the court on the plaintiff Santee Sioux Nation's motion for reconsideration, Filing No. 50, of this court's order, Filing No. 48. The court first notes that defendants' argument that the motion to reconsider is not timely filed has some merit. This court's memorandum and order was filed on September 26, 2006, and the motion to reconsider was filed on October 16, 2006, in excess of the ten days permitted for a motion to reconsider. NECivR 60.1(b). However, even if the court permitted the filing for good cause, the motion is denied. The court has carefully reviewed the record and the arguments of the parties. The court finds no manifest error in its prior ruling, nor has plaintiff shown any new facts or legal authority not previously presented to the court that would require reversal of its order. Fed. R. Civ. P. 60(b); NECivR 60.1.

THEREFORE, IT IS ORDERED that plaintiff's motion to reconsider, Filing No. 50, is denied.

DATED this 7th day of December, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
Chief U.S. District Judge